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WHEREAS, the City Council of the City of Colton (“City”) currently has five effective redevelopment projects: (1) the Cooley Ranch Redevelopment Project (adopting Ordinance No. 1478, dated July 29, 1975); (2) the Santa Ana River Redevelopment Project (adopting Ordinance No. 1632, dated December 29, 1982); (3) the West Valley Redevelopment Project (adopting Ordinance No. O-10-86, dated July 15, 1986 and its amendment adopting Ordinance No. O-9-87, dated June 30, 1987); (4) the Mt. Vernon Corridor Redevelopment Project (adopting Ordinance No. O-8-87, dated June 30, 1987); and (5) the Rancho/Mill Redevelopment Project (adopting Ordinance No. O-13-94, dated July 5, 1994) (collectively and as amended, the “Project Areas”); and

WHEREAS, the Redevelopment Agency for the City of Colton (“Agency”) has been engaged in activities to redevelop the Project Areas pursuant to the provisions of the California Community Redevelopment Law (Health & Saf. Code, § 33000 et seq.); and

WHEREAS, on June 28, 2011, the State of California enacted California Health and Safety Code Section 34161 et seq. as part of the State’s enactment of Assembly Bill 1X 26 (“AB 1X 26”), immediately prohibiting further redevelopment activity by redevelopment agencies and dissolving all redevelopment agencies in the State of California on October 1, 2011; and

WHEREAS, on June 28, 2011, the State of California also enacted California Health and Safety Code Section 34192 et seq. under Assembly Bill 1X 27 (“AB 1X 27”), providing communities the opportunity to continue redevelopment activity through their local redevelopment agencies by electing to participate in the “Alternative Voluntary Redevelopment Program”; and

WHEREAS, on July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 (“Legal Action”), challenging the constitutionality of

1 AB 1X 26 and AB 1X 27, on behalf of cities, counties and redevelopment agencies and requesting a
2 stay of enforcement of AB 1X 26 and AB 1X 27, pending the Supreme Court's determination of the
3 constitutionality of AB 1X 26 and AB 1X 27; and

4
5 **WHEREAS**, on August 11, 2011, the Supreme Court issued an order in the Legal
6 Action granting a partial stay of California Health and Safety Code Section 34161 et seq., exclusive
7 of California Health and Safety Code Sections 34161 through 34167 (which prohibit all new
8 redevelopment activity), and a complete stay of California Health and Safety Code Section 34192 et
9 seq., such that the City and the Agency could not pursue new redevelopment activity under the
10 Alternative Voluntary Redevelopment Program (collectively, "Stay"); and

11 **WHEREAS**, on August 17, 2011, the Supreme Court modified the Stay such that the
12 Stay no longer affected California Health and Safety Code Sections 34167.5 through 34169.5, in
13 addition to California Health and Safety Code Sections 34161 through 34167, or California Health
14 and Safety Code Section 34194(b)(2); and

15 **WHEREAS**, on December 29, 2011, the Supreme Court issued its final decision in
16 the Legal Action, upholding AB 1X 26, invalidating AB 1X 27, extending all statutory deadlines
17 under Health and Safety Code Sections 34170 through 34191, and dissolving all redevelopment
18 agencies throughout the State of California, effective February 1, 2012; and

19
20 **WHEREAS**, AB 1X 26 further provides that, upon their dissolution, any property
21 taxes that would have been allocated to redevelopment agencies will no longer be deemed tax
22 increment, and will be allocated first to successor agencies to make payments on the existing
23 indebtedness of the dissolved redevelopment agencies, with remaining balances allocated in
24 accordance with applicable constitutional and statutory provisions; and

25
26 **WHEREAS**, AB 1X 26 provides that the City will be the successor agency to the
27 dissolved Agency, unless the City elects not to act as the successor agency, and that, with certain
28

1 exceptions, all authority, rights, powers, duties and obligations previously vested with the Agency,
2 under the CRL, will be vested in the City as of February 1, 2012; and

3
4 **WHEREAS**, all other legal prerequisites to the adoption of this Resolution have
5 occurred.

6 **NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF COLTON DOES**
7 **HEREBY RESOLVE AND FIND AS FOLLOWS:**

8 **Section 1. Recitals.** The Recitals preceding this Resolution are true and correct and are
9 incorporated into this Resolution.

10 **Section 2. CEQA Compliance.** The determination and election made in this Resolution
11 do not commit the City to any action that may have a significant effect on the environment. As a
12 result, such approvals do not constitute a project subject to the requirements of the California
13 Environmental Quality Act. The City Clerk is authorized and directed to file a Notice of Exemption
14 with the appropriate official of the County of San Bernardino, California, within five (5) days
15 following the date of adoption of this Resolution.

16
17 **Section 3. Election to be Successor Agency.** In accordance with Health and Safety Code
18 Section 34173, and based on the Recitals set forth above, the City Council hereby elects and
19 determines that the City of Colton shall become the "successor agency" to the former Redevelopment
20 Agency for the City of Colton. Upon dissolution of the Redevelopment Agency for the City of Colton
21 pursuant to Part 1.85 of Division 24 of the California Health and Safety Code, and except as provided
22 under the CRL, all authority, rights, powers, duties and obligations previously vested with the former
23 Redevelopment Agency for the City of Colton, under the CRL, shall be vested in the City as the
24 successor agency to the Redevelopment Agency for the City of Colton.

25 **Section 4. Implementation.** The City Council hereby authorizes and directs the City
26 Manager to take any action and execute any documents necessary to carry out the purposes of this
27 Resolution, including but not limited to notifying the County of San Bernardino Auditor-Controller,
28 the Controller of the State of California, and the California Department of Finance of the adoption of

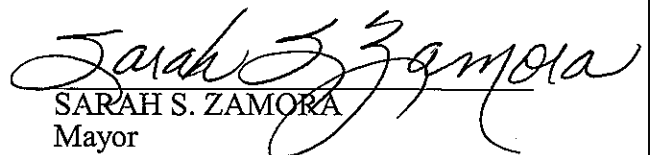
1 this Resolution and the City's election to be the successor agency to the Redevelopment Agency for
2 the City of Colton, in accordance with AB 1X 26.

3 **Section 5.** **Severability.** If any provision of this Resolution or the application of any such
4 provision to any person or circumstance is held invalid, such invalidity shall not affect other
5 provisions or applications of this Resolution that can be given effect without the invalid provision or
6 application, and to this end the provisions of this Resolution are severable. The City Council declares
7 that the City Council would have adopted this Resolution irrespective of the invalidity of any
8 particular portion of this Resolution.

9 **Section 6.** **Certification.** The City Clerk shall certify to the adoption of this Resolution.

10 **Section 7.** **Effective Date.** This Resolution shall become effective immediately upon its
11 adoption.
12

13 **APPROVED, APPROVED AND ADOPTED THIS** 11th day of January, 2012.

14
15 
16 SARAH S. ZAMORA
17 Mayor

18 ATTEST:

19 
20 EILEEN C. GOMEZ, CMC
21 City Clerk
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss.
3 CITY OF COLTON)

4 I, EILEEN C. GOMEZ, City Clerk of the City of Colton, do hereby certify that the
5 foregoing Resolution No. R-01-12 was duly and regularly adopted by the City Council of the City of
6 Colton at a regular meeting thereof on the 11th day of January, 2012 and that the same was passed
7 and adopted by the following vote, to wit:

8 AYES:	COUNCIL MEMBER	Toro, Gonzales, Yzaguirre, Oliva, Bennett, Perez, and Mayor Zamora
9 NOES:	COUNCIL MEMBER	None
10 ABSENT:	COUNCIL MEMBER	None
11 ABSTAIN:	COUNCIL MEMBER	None

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13 EILEEN C. GOMEZ, CMC
14 City Clerk
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